

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. EDCV 17-01523 JVS (SKx) Date November 15, 2017

Title Marilyn Bryant v. BNSF Railway Company, et al.

Present: The Honorable James V. Selna

Karla J. Tunis  
Deputy Clerk

Not Present  
Court Reporter

Attorneys Present for Plaintiffs:

Not Present

Attorneys Present for Defendants:

Not Present

**Proceedings:** (In Chambers)

**ORDER TO SHOW CAUSE RE DISMISSAL  
FOR LACK OF PROSECUTION and  
Order Vacating Scheduling Conference**

The Court, on its own motion, hereby ORDERS plaintiff(s) to Show Cause (OSC) in writing no later than **December 8, 2017**, why this action should not be dismissed for lack of prosecution. As an alternative to a written response by plaintiff(s), the Court will consider the filing of one of the following, as an appropriate response to this OSC, on or before the above date:

**X** **Proof of service of summons and complaint**

Absent a showing of good cause, an action shall be dismissed if the summons and complaint have not been served upon all defendants within 90 days after the filing of the complaint. Fed. R. Civ. P. 4(m) The Court may dismiss the action prior to the expiration of such time, however, if plaintiff(s) has/have not diligently prosecuted the action.

It is the plaintiff's responsibility to respond promptly to all orders and to prosecute the action diligently, including filing proofs of service and stipulations extending time under Rule 55 remedies promptly upon default of any defendant. All stipulations affecting the progress of the case must be approved by the Court. Local Rule 7-1.

**The Court ORDERS the Scheduling Conference set for November 27, 2017 at 11:30 a.m. VACATED to be reset upon resolution of the Order to Show Cause.**

Initials of Preparer kjt : 00